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EXAMINER
DONABED, NINOS J

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Office Action Summary	10/530,927	HORII ET AL.	
	Examiner	Art Unit	
	NINOS DONABED	2144	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*01/28/2008*</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-8*</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-8*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Amendment

1.   This action responsive to Amendment filed on 1/28/2008. Claim 5 is amended.

Claims 1-8 are pending in the application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-4 and 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by

Takahashi et al. **(United States Patent Number 5,887,193)**, herein referred to as

Takahashi.

       Regarding **Claim 1,**

       Takahashi discloses an information processor storing a plurality of format

engines each for executing data described in a different format, the information

processor comprising: **(See Abstract and Figures 1-2, Takahashi discloses a**

multimedia controller for a plurality of devices)

       format engine managing means for pre-defining common states which define

operating states of each format engine in a representation common to all the format

engines, and managing an operation of each format engine; and **(See Abstract,**

Figures 1-2, and Column 2 Lines 20-47, Takahashi discloses a controller for

managing a plurality of multimedia devices in a common manner)

operation control means, provided in correspondence with each format engine,

for pre-defining a correspondence between the common states and individual states

which define the operating states of each format engine in a representation different for

each format engine, and controlling operations of the format engines such that each

format engine is in an arbitrary individual state; **(See Abstract Figures 1-2, and**

Column 1 Line 50 – Column 2 Line 19, Takahashi discloses a controller which

stores read control information in memory in a predetermined format, dependent

on a particular device)

wherein:

for changing a format engine to a predetermined common state, the format

engine managing means sends a message including common state information

indicating the predetermined common state to the operation control means provided in

correspondence with the format engine; and **(See Figure 1-2 and Column 40 Lines**

37-65, Takahashi discloses a message sent from the controller to a multimedia

device and determines whether device is off or on)

when the message is sent from the format engine managing means, the

operation control means controls the format engine such that the format engine is in the

individual state corresponding to the common state indicated by the common state

information included in the message. **(See Figure 1-2 and Column 19 Line 43 –**

Column 20 Line 23, Takahashi discloses the that controller controls the on/off of the multimedia device)

Regarding **Claim 2,**

Takahashi discloses an information processor according to claim 1, further comprising table storage means, provided in correspondence with each format engine, for storing a table including sets of an individual state of each format engine and a common state corresponding to the individual state; **(See Figure 55 and Column 37 Line 27 – Column 38 Line 13, Takahashi discloses a table storage unit for storing the individual state of each multimedia device)**

wherein the operation control means determines the individual state from the common state by referring to the table. **(Takahashi discloses the table in Figure 55 that has an on/off column; the off state being common to all devices and the on state being particular to an individual device as all devices are different)**

Regarding **Claim 3,**

Takahashi discloses an information processor according to claim 1, further comprising individual state obtaining means, provided in correspondence with each format engine, for obtaining an individual state of each format engine and sending common state information indicating the common state corresponding to the obtained individual state to the format engine managing means; **(See Figure 55 and Column 37**

Line 27 – Column 38 Line 13, Takahashi discloses a table storage unit which
stores the individual state of each multimedia device)

wherein the format engine managing means manages an operation of each
format engine based on the common state indicated by the common state information
which is output from the individual state obtaining means. **(See Figure 1-2 and Column
19 Line 43 – Column 20 Line 23, Takahashi discloses that an operation request
message is sent from the multimedia controller to a particular one of the
multimedia devices and the particular multimedia device receives the operation
request message and determines whether its own subsidiary power source is on
at that time)**

Regarding **Claim 4,**

Takahashi discloses an information processor according to claim 3, further
comprising a minimum resource which is used by a format engine during execution and
cannot be used simultaneously by a plurality of format engines; **(See Column 8 Lines
13-56, Takahashi discloses RAM in the multimedia controller which is used as a
work area by the multimedia device during execution of a program)**

wherein:

when the individual state obtained from a format engine shows an operating state
using the minimum resource, the individual state obtaining means outputs common
state information indicating a predetermined state to the format engine managing
means as the common state information of the format engine; and when the individual

state obtained from a format engine show an operating state not using the minimum

resource, the individual state obtaining means outputs common state information

indicating a state other than the predetermined state to the format engine managing

means as the common state information of the format engine; and **(See Figure 55 and**

Column 8 Lines 13-56, Takahashi discloses a table which tracks the state of the

multimedia devices, in which one of the multimedia devices can be switched from

the off to the on position)

the format engine managing means manages the operation of each format

engine such that the common state information of only one format engine indicates the

predetermined state. **(See Figure 55, Abstract, Figure 1-2, and Column 37 Line 27 –**

Column 38 Line 13, Takahashi discloses table in Figure 55 that has an on/off and

where only on of the devices is in the predetermined on state)

Regarding **Claim 6,**

Takahashi discloses an information processor according to claim 1, further

comprising: a minimum resource which is used by a format engine during execution and

cannot be used simultaneously by a plurality of format engines; **(See Column 8 Lines**

13-56, Takahashi discloses RAM in the multimedia controller which is used as a

work area by the multimedia device during execution of a program)

resource control means for permitting a format engine to use the resource in

response to a request from a format engine; **(See Column 28 Lines 35-67, Takahashi**

discloses that a request for a recording of input data is made)

priority level information storing means for storing priority level information

indicating a relative priority level of each format engine regarding use of the minimum

resource; and **(See Column 26 Line 67 – Column 27 Line 32, Takahashi discloses**

that the highest priority files are stored)

permission determination means for, when there are overlapping requests to use

the minimum resource from a plurality of format engines, determining a format engine

which is to be permitted to use the minimum resource based on the priority level

information; **(See Column 26 Line 37 – Column 27 Line 38, Takahashi discloses**

that the highest priority files are stored; higher priority requests from a

multimedia device will be looked at before the lower priority requests)

wherein when there are overlapping requests to use the minimum resource from

a plurality of format engines, the resource control means permits only the format engine

determined by the permission determination means to use the minimum resource; and

when there are no overlapping requests to use the minimum resource from a plurality of

format engines, the resource control means permits the format engine, which made the

request, to use the minimum resource. **(See Column 26 Line 37 – Column 27 Line 38,**

Takahashi discloses the priority of requests and thus the higher priority request,

in overlapping requests, is permitted to use the minimum resource)

Regarding **Claim 7,**

Takahashi discloses an information processor according to claim 6, wherein:

a plurality of the minimum resources are provided; and a plurality of resource

control means are provided in correspondence with the plurality of the minimum

resources. **(See Figure 4 and Column 7 Line 49 – Column 8 Lines 33, Takahashi**

discloses a CPU, ROM, RAM, DISPLAY, and DATA I/O resources in the controller

are used for the multimedia devices)

Regarding **Claim 8,**

Takahashi discloses a program executable by a computer of an information

processor storing format engines each for executing data described in a different

format, wherein the program causes the computer to function as:

format engine managing means for pre-defining common states which define

operating states of each format engine in a representation common to all the format

engines, and managing an operation of each format engine; and

operation control means, provided in correspondence with each format engine,

for pre-defining a correspondence between the common states and individual states

which define the operating states of each format engine in a representation different for

each format engine, and controlling operations of the format engines such that each

format engine is in an arbitrary individual state;

wherein:

for changing a format engine to a predetermined common state, the format

engine managing means sends a message including common state information

indicating the predetermined common state to the operation control means provided in

correspondence with the format engine; and

   when the message is sent from the format engine managing means, the

operation control means controls the format engine such that the format engine is in the

individual state corresponding to the common state indicated by the common state

information included in the message. **(See Rejection to Claim 1)**

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

   (a) A patent may not be obtained though the invention is not identically disclosed or described as set
   forth in section 102 of this title, if the differences between the subject matter sought to be patented and
   the prior art are such that the subject matter as a whole would have been obvious at the time the
   invention was made to a person having ordinary skill in the art to which said subject matter pertains.
   Patentability shall not be negatived by the manner in which the invention was made.

5.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Takahashi.

   Regarding **Claim 5,**

   Takahashi teaches an information processor according to claim 4, wherein: the

format engine managing means comprises:

   Takahashi further teaches activation receiving means for receiving an activation

request for activating a format engine. **(See Column 7 Line 28 – Column 8 Line 65,**

Takahashi teaches a request for activating a multimedia device)

Takahashi further teaches common state obtaining means for obtaining common state information of each format engine from the individual state obtaining means in response to the activation receiving means receiving the activation request; **(See Figure 55, Abstract, Figure 1-2, and Column 37 Line 27 – Column 38 Line 13, Takahashi teaches a table with state information for both common and individual states)**

Takahashi further teaches operation stopping means for, when the common state information of a format engine obtained by the common state obtaining means indicates a during-execution state, sending a message for stopping the operation of the format engine to the operation control means provided in correspondence with the format engine; and **(See Column 24 Lines 13-67, Takahashi teaches a stopping means and sending a message to the controller for stopping the multimedia device**

Takahashi further teaches activation means for, after the operation of the format engine is stopped by the operation stopping means, sending a message for activating a format engine corresponding to the activation request to the operation control means provided in correspondence with the format engine, **(See Figure 1-2 and Column 40 Lines 37-65, Takahashi discloses a message sent from the controller to a multimedia device and determining whether device is off or on)**

Takahashi does not explicitly teach sending a message for stopping the operation of the format engine to the operation control means provided in correspondence with the format engine.

However it would have been obvious to one of ordinary skill in the art at the time
the invention was made because notifying the controller that the device has stopped,
allows the controller to continue delegating jobs in an efficient manner. The benefit of
this is, cutting down sending resources to check to see if the device is on or off and to
increase overall performance of the system.

Response to Arguments

6.   Applicant's arguments filed on 1/28/2008 have been fully considered but they are
not persuasive. Applicant argues that "Takahashi fails to disclose or suggest the use of
two kinds of information (i.e., common state information and the individual state
information) when controlling a multimedia device)."

7.   Examiner points to Column 9 line 36 through Column 10 line 22. Takahashi
discloses both common state and individual state information.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

9.   Any response to this Office Action should be **faxed** to (571) 272-8300 or **mailed**

to:

          Commissioner for Patents
          P.O. Box 1450
          Alexandria, Virginia 22313-1450

              Hand-delivered responses should be brought to
          Customer Service Window
          Randolph Building
          401 Dulany Street
          Alexandria, Virginia 22314

          Any inquiry concerning this communication or earlier communications from the

examiner should be directed to NINOS DONABED whose telephone number is

(571)270-3526. The examiner can normally be reached on Monday-Friday, 7:30 AM-

5:00 PM EST.

          If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

          Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ninos Donabed
Art Unit 2144
        /William C. Vaughn, Jr./

        Supervisory Patent Examiner, Art Unit 2144